

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: GROLLITSCH, Helmut, et al

SERIAL NO.: 10/672,402

ART UNIT: 3653

FILED: September 29, 2003

EXAMINER: Hageman, M.

TITLE: METHOD AND APPARATUS FOR DETECTING A CRACKED OR BROKEN CASE

Amendment E: REMARKS

Upon entry of the present amendments, Claims 39-42 and 44-51 remain in this case. The claims have been re-presented. Reconsideration of the rejections, in light of the forgoing amendments and present remarks, is respectfully requested. The present amendments have been entered for the purpose of distinguishing the present invention from the prior art.

In the Office Action, it was indicated that Claims 39-42, 44-51 were rejected under 35 U.S.C. § 112, first paragraph as failing to comply with the written description requirement. The drawings were objected to for not showing all elements of the claimed invention.

In response to the rejection, Applicant has corrected the drawings and specification to particularly name "roller 61". No new matter has been added. The roller structure has always been shown in original Figure 1. Only the reference numeral and reference in the specification has been added. The claims are re-presented.

Applicant respectfully contends that the original disclosure contained the roller 61. The rejection system always included the same pneumatic ram as the second ram 26. Common references are made to the same type of pneumatic ram in Paragraphs 0019 and 0032, and the rollers are illustrated in the same manner in Figure 1 and Figure 4. The disclosed drawings show a roller, as in the second ram 26 and not the abutment member 56 of the first ram. The commonality with second

ram and difference between first ram is also shown in Figure 4.

The present amendment is being submitted under 37 C.F.R. § 1.116 for an after-final amendment to place the application into a condition for allowance. The claims are not amended. Only formalities have been corrected.

On this basis, Applicant contends that independent Claims 39 and 46 are now in proper condition for allowance. Additionally, those claims which are dependent upon these independent claims should also be in condition for allowance. Reconsideration of the rejections and allowance of the claims at an early date is earnestly solicited. Since no new claims have been added above those originally paid for, no additional fee is required. Applicant respectfully requests reconsideration of the claim language for allowance.

Respectfully submitted,

<u>September 24, 2008</u>	<u>/Andrew W. Chu/</u>
Date	John S. Egbert; Reg. No. 30,627 Andrew W. Chu; Reg. No. 46,625
Customer No. 24106	Egbert Law Offices PLLC 412 Main Street, 7th Floor Houston, Texas 77002 (713)224-8080 (713)223-4873 fax